

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION**

THIS DOCUMENT RELATES TO:

*State of California, ex. Rel. Ven-A-Care v. Abbott
Laboratories, Inc., et al.*

Case No. 03-cv-11226-PBS

**MDL NO. 1456
Civil Action No. 01-12257-PBS
Subcategory No. 06-11337**

Judge Patti B. Saris

**DECLARATION OF CATHERINE R. CASTALDO IN SUPPORT OF
DEFENDANT SANDOZ INC.'S RESPONSE TO PLAINTIFFS' LOCAL RULE 56.1
STATEMENT OF UNDISPUTED FACTS AS TO SANDOZ INC.**

I, CATHERINE R. CASTALDO, declare under penalty of perjury as follows:

1. I am an associate at White & Case LLP, counsel for Defendant Sandoz Inc. ("Sandoz"). I make this declaration in further support of Defendant Sandoz Inc.'s Response to Plaintiffs' Local Rule 56.1 Statement of Undisputed Facts as to Sandoz Inc. ("Sandoz' Response"). I have personal knowledge of the facts stated herein.
2. In Sandoz' Response, we have incorporated the discovery record by reference. The purpose of this declaration is to make excerpts from the record available for the convenience of the Court.
3. Attached hereto are the true and correct copies of the following exhibits:

Ex. 1	Relevant Excerpts from Transcript of September 22, 2008 Deposition of J. Kevin Gorospe
Ex. 2	Letter from William L. Roper to John F. Schlegel, dated September 1, 1987, Bates HHC002-0564-65, previously marked as Abbott Exhibit 762
Ex. 3	Relevant Excerpts from Transcript of December 5, 2007 Deposition of Nancy-Ann

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Ex. 4	Letter from William L. Roper to John F. Schlegel, dated September 1, 1987, Bates HHC002-0564-65, previously marked as Abbott Exhibit 762
Ex. 5	Relevant Excerpts from Transcript of Bruce Vladeck, dated June 21, 2007
Ex. 6	Relevant Excerpts from Transcript of Thomas Scully, dated May 15, 2007
Ex. 7	Relevant Excerpts from Transcript of Mike Robinson, dated February 7, 2008
Ex. 8	Relevant Excerpts from Transcript of 30 (b)(6)Arkansas Dept. of HS, dated December 10 2008
Ex. 9	Relevant Excerpts from Transcript of 30 (b)(6)Arkansas Dept. of HS, dated December 11, 2008
Ex. 10	Relevant Excerpts from Transcript of Paul Jeffrey, dated June 14, 2007
Ex. 11	State of California's Objections and Responses to Defendant Abbott's First Set of Interrogatories, dated December 21, 2007
Ex. 12	Relevant Excerpts from Transcript of June 11, 2007 Deposition of Kevin Galownia
Ex. 13	Relevant Excerpts from Transcript of August 23, 2007 Deposition of Christopher Worrell
Ex. 14	Relevant Excerpts from Transcript of January 25, 2007 Deposition of Hector Armando Kellum
Ex. 15	Relevant Excerpts from Transcript of May 6, 2009 Deposition of Ronald H. Hartmann, R.Ph.
Ex. 16	Relevant Excerpts from Transcript of July 20, 2009 Deposition of Lynn Donovan
Ex. 17	(Donovan Ex. 15) First DataBank Presentation re: Pricing Methodologies, Bates # HI_HI000002686-HI_HI000002704
Ex. 18	Relevant Excerpts from Transcript of August 27, 2007 Deposition of Patricia Kay Morgan
Ex. 19	Relevant Excerpts from Transcript of June 19, 2008 Deposition of Kevin Galownia
Ex. 20	(Morgan Ex. 13) First DataBank Presentation, 2005 Customer Seminar, Bates # FDB-ALABAMA 087415
Ex. 21	Relevant Excerpts from Transcript of March 26, 2008 Deposition of Christopher Worrell

Ex. 22	Relevant Excerpts from Transcript of September 29, 2009 Deposition of Christopher Worrell
Ex. 23	Letter from Beth Brannan, Manager, Government Affairs, Geneva Pharmaceuticals, Inc. (Sandoz) to Michael Neff, California Dept. of Health Services enclosing AMP data, dated July 16, 1991 (SANDOZ CALI 3000033)
Ex. 24	Relevant Excerpts from Transcript of June 10, 2009 Deposition of Roy Takeuchi
Ex. 25	Letter from Ron Hartmann, Manager, Government Affairs, Geneva Pharmaceuticals, Inc. (Sandoz) to State of California enclosing AMP data, dated March 21, 2007 (SANDOZ CALI 3001109)
Ex. 26	Relevant Excerpts from Transcript of November 13, 2008 Deposition of Frank Stiefel
Ex. 27	Relevant Excerpts from Transcript of June 5, 2008 Deposition of Richard Rogerson
Ex. 28	Relevant Excerpts from Transcript of January 27, 2009 Deposition of Frank Stiefel
Ex. 29	Expert Report of Daniel L. Rubinfeld
Ex. 30	Relevant Excerpts from Transcript of September 24, 2009 deposition of Jeffrey Leitzinger

Dated: December 21, 2009

/s/ Catherine R. Castaldo
Catherine R. Castaldo

CERTIFICATE OF SERVICE

I, Daniel Cohen, hereby certify that on December 21, 2009, I have caused true and correct copies of the foregoing Declaration of Catherine R. Castaldo in Support of Defendant Sandoz' Inc.'s Response to Plaintiffs' Local Rule 56.1 Statement of Undisputed Facts as to Sandoz Inc, with attached exhibits, to be served on all counsel of record by electronic service, pursuant to the Case Management Order No. 2 entered in by Honorable Patti B. Saris in MDL 1456.

/s/ Daniel Cohen

Daniel Cohen